





- ▣ Repeals Section 545.412 TC
- ▣ Effective September 28, 2011

SB 1 (Special Session)

So, No New Court Costs!!!



Record Retention of Historical Documents

- ▣ Amends Sec. 441.026 GC
- ▣ Effective May 30, 2011



I Know They're in Here Somewhere



Concurrent Municipal Jurisdiction with Contiguous Cities

- ▣ HB 984
- ▣ Amends Sec. 29.003 GC and Art. 4.14 CCP
- ▣ Effective May 19, 2011



???????



Court Building Security Fund

- ▣ SB 1521
- ▣ Amends Sec. 102.017 CCP
- ▣ Includes warrant officers and related equipment to list of authorized uses for fund



Hit or Miss?



Restricting Employee Access to Firearms?

- ▣ In Labor Code
- ▣ Effective September 1, 2011
- ▣ Check your local ordinances



Refund Cash Bond

- ▣ HB 1658
- ▣ Amends Art. 17.02 CCP
- ▣ Effective September 1, 2011
- ▣ Court clerks take note



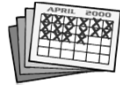
Impact?

- ▣ What about Art. 45.043 CCP, Forfeiture of Cash Bond in Satisfaction of Fine?

45.044 C.C.P. Conditional Plea

- ▣ A judge may enter a judgment of conviction and forfeit a cash bond posted BY THE DEFENDANT in satisfaction of the defendant's fine and cost IF the defendant:
- ▣ Has entered a written and signed plea of nolo and a waiver of jury trial and
- ▣ Fails to appear according to terms of release

Time to Post Docket



- ▣ HB 1573
- ▣ Amends Art. 17.085 CCP
- ▣ Effective September 1, 2011
 - Take note if you do not post online docket

17.085 C.C.P.

- ▣ Now provides:
- ▣ Clerk that does not provide online internet access to that court's criminal case records shall post in a designated public place in the courthouse notice of a prospective criminal court docket setting **AS SOON AS THE COURT NOTIFIES THE CLERK OF THE SETTING.**



Collection Improvement Program

- ▣ HB 2949 (p. 25)
- ▣ Effective September 1, 2011
- ▣ Amends Art. 103.0033 L.G.C.
- ▣ Oh, remember SB 1?





Municipal Courts Week

- ▣ HR 1485 & 1486
- ▣ Effective May 19, 2011
- ▣ Recognizing the important work of municipal courts, the Legislature has designated
- ▣ Nov. 7-11, 2011 and Nov. 5-9, 2012 as Municipal Courts Week (p. 31)



**Person First
Respectful Language
Initiative**

- ▣ HB 1481
- ▣ Effective
September 1,
2011
- ▣ (p. 29)



New Name Same Game

- ▣ HB 1504 (p. 30)
- ▣ Effective June 17, 2011

TexasOnline

State Electronic Internet Portal

**A slide from update in
2009...**

H.B. 319

**JUROR EXEMPTION FOR
THOSE WITH CUSTODY OF
CHILDREN UNDER AGE 15**



EFFECTIVE DATE:
**SEPTEMBER 1,
2009**

Amends Sec.
62.106 G.C.

Now the age is 12



ORDINANCES

▣ What do these pictures have in common?











Abandoned Vessel and Abandoned Aircraft...

- ▣ HB 787
Effective September 1, 2011
Amends Sec. 683.011 TC
- ▣ And adds Section 31.0466 Parks and Wildlife Code
- ▣ (p. 31)

Substantive:

- ▣ New crimes
- ▣ New ways to commit old crimes

Old



New



Confidentiality and Protective Orders for Victims of Human Trafficking

- ▣ HB 2329
- ▣ Effective September 1, 2011
- ▣ Adds 7B to CCP
- ▣ Why does it matter to municipal courts?
- ▣ Caution: New Class C Misdemeanor, Art. 57D.03(d) CCP for public servant to disclose info




Fraudulent Emissions Inspection

SB 197 (p. 36)
Effective September 1, 2011
Adds Sec. 548.6035 TC



Sexting:

- ▣ SB 407 (p. 37)
- ▣ Effective September 1, 2011
- ▣ New offense Sec. 43.261 PC



How does that apply to Municipal Court???????

- ▣ New Class C misdemeanor
- ▣ Applies to minor (under 18)
 - That knowingly promotes or possesses images depicting sexual conduct
 - If under 17 case must be transferred to juvenile court
 - What cases do we see?

Issues?



Installation of Irrigation System Without a License

- ▣ HB 2507
- ▣ Effective September 1, 2011
- ▣ Amends Sec. 1903.256 OC
- ▣ (p. 36)





K2—not the mountain

- ▣ SB 331
- ▣ Effective September 1, 2011
- ▣ Sec. 481.1031 HSC
- ▣ (p. 37)



Jailers Authorities Expanded



- ▣ HB 1070 - Authorizes Jailers to Take Bail (p. 77)
 - Creates Art. 17.025, CCP
- ▣ SB 604 - Authorizes Jailers to Serve Criminal Process in Jail (p. 82)
 - Creates Art. 2.31, CCP
 - Requires Special Training (Chapter 1701 Occupation Code)

Ch. 821, HSC - Costs and Appeals of Civil Hearings; Cruelly Treated Animals HB 963 (p. 76)

- Costs
- Hearings are Not Trials?
- Juries Only on Appeal to County?





Motion for New Trial

- ❑ SB 519 (p. 82) Amending Art. 45.037, CCP
- ❑ Time Period Changed from 1 to 5 Days
- ❑ Creates Uniformity with Civil Procedure for Justice Courts
- ❑ Does Not Create Uniformity Among Municipal Courts
- ❑ Municipal Courts or Records are Unaffected (Still 30 Days)

SECTION 2: Recusal & Disqualification

- ❑ Section 29.012, Govt. Code is Repealed!!!
- ❑ TOTALLY NEW Subchapter 29A, Govt. Code
- ❑ 10 Totally New Procedural Rules Governing Recusal and DQ in ALL Municipal Courts
- ❑ Important to Distinguish between "Presiding Judge" and "Reg. PJ"
- ❑ Adapted from TRCP 18A

- ❑ Contains "Recuse or Refer"
- ❑ Pecking Order Contemplates 1 or More Municipal Judges
- ❑ Efforts to Maximize Resources (Teleconference)
- ❑ Hearing on Motion Will Not be by a Municipal Judge
- ❑ Judge Assigned to Case Will be a Municipal Judge
- ❑ Provisions for Compensation Provided

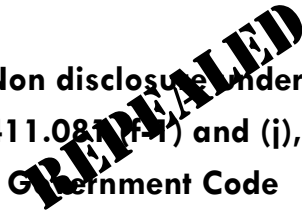
SECTION 3: MANDATORY REPORTS

- ▣ Duty on City Secretary or Other Proper Employee
- ▣ Notice to Texas Judicial Council within 30 Days of Election Appointment or Vacancy of Mayor, Judges, Clerks
- ▣ Replaces Sec. 22.073(c) 29.013, Govt. Code.



HB 961 (Page 10)

**Non disclosure under
411.081 (f-1) and (j),
Government Code**



HB 961 (Page 10)

- Adds Art. 44.2811
 - Class C Convictions, other than traffic, Confidential (if satisfied)
 - Contemplates appeals as well
- Adds Art. 45.0217
 - Access
 - Courts
 - Crim J Agencies
 - DPS
 - Child Defendant
 - Parent/Guardian
- Applies to all satisfied judgements past, present, and future



Community Service Comes in THREE FOUR Flavors

1. As a Mandatory Remedial Measure (status offenses involving juveniles: MIP, DUI, MIC, Tobacco, etc.)

2. As a reasonable condition of Deferred Disposition (Art. 45.051(b)(10) CCP)

3. As a Means for an Indigent Person to Discharge fine and Costs (Note: Must be Indigent. Community Service is as good as \$\$\$)

4. As A Means for a Defendants under the age of 17 to discharge assessed fines and costs (45.0492)





